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DAB : Jan 29, 2008

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

MEMO ENDORSED

January 24, 2008

BY FAX

The Honorable Deborah A. Batts
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Juan Garcia Sanchez
07 Cr. 351 (DAB)

Dear Judge Batts:

I write to confirm the adjournment of the pre-trial conference until February 11, 2008 at 11:30 am. The adjournment was necessary because Mr. Garcia Sanchez's new counsel was on trial on the date of the previously scheduled conference.

The Government also requests that the Court exclude time until February 11, 2008. The Government submits that such exclusion is warranted pursuant to 18 U.S.C. § 8161(h)(8)(A). Specifically, the ends of justice outweigh the best interest of the public and the defendant in a speedy trial because it affords the defendant and his new counsel the needed time to consider the evidence produced and to discuss a potential disposition in the case, thus helping ensure the effective assistance of defendant's counsel.

I have tried to reach Mr. Garcia Sanchez's new counsel, Michael Mays, on numerous occasions in order to learn his position on this request, but I have not received a response from him about whether he consents to the Government's request. I had previously spoken to John F. Kaley, former counsel for the

SO ORDERED

MEMO ENDORSED

Deborah A. Batts
DEBORAH A. BATTS 1/29/08
UNITED STATES DISTRICT JUDGE

The Honorable Deborah Batts
January 25, 2008
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defendant, who told me that he consents to this exclusion of time.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney

By: Will Harrington
William J. Harrington
Assistant United States Attorney
212-637-2331

cc: John F. Kaley
Prior counsel for the defendant
(By fax: (212) 962-5037)

Michael Mays
New counsel for the defendant
(By fax: 718-206-0403)